

DMJ:CNR
F.#2010R00534

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TO BE FILED UNDER SEAL

UNITED STATES OF AMERICA

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF APPLICATION
FOR ARREST WARRANT

- against -

ANTHONY D. EVANS,
also known as "Loud,"

(T. 21, U.S.C., § 841)

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

CARMINE ESPOSITO, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), duly appointed according to law and acting as such.

Upon information and belief, on or about July 15, 2009 and August 7, 2009, both dates being approximate and inclusive, within the Eastern District of New York, the defendant ANTHONY D. EVANS, also known as "Loud," did knowingly and intentionally distribute and possess with intent to distribute a substance containing cocaine base, a Schedule II controlled substance, in an amount of 50 grams or more.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(iii)).

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I have been a Special Agent with the FBI for approximately thirteen (13) years and I am currently assigned to the FBI Long Island Gang Task Force ("FBI Task Force"). I have participated in numerous investigations into the unlawful possession, distribution and manufacture of controlled substances, including but not limited to cocaine and cocaine base (commonly referred to as "crack cocaine"). Many of these investigations involved working with confidential informants and cooperating witnesses, surveillance and controlled purchases of narcotics. The information contained in this affidavit comes from first-hand knowledge, my discussions with witnesses involved in the investigation, my discussions with other agents and officers, and a review of the evidence related to this investigation.

2. The facts set forth in this affidavit are based in part on information that I have learned from conversations with a confidential informant ("CI"), who has proven to be reliable. Specifically, during the course of the investigation, the information provided by the CI has been corroborated by a number of other sources, including other witnesses, physical

¹ Because the purpose of this Affidavit is solely to set forth probable cause to arrest the defendant, I have not set forth all facts concerning this investigation of which I am aware.

surveillance, video recordings and audio recordings.

3. As part of this investigation, I have supervised at least two (2) controlled purchases of cocaine base from the defendant ANTHONY D. EVANS, also known as "Loud," which purchases took place on July 15, 2009, and August 7, 2009, respectively. Both transactions took place in Copiague, New York and were recorded using video and audio technology, and were monitored by members of the FBI Task Force.

a. On July 15, 2009, the CI agreed to meet with the defendant ANTHONY D. EVANS, also known as "Loud," in order to purchase a quantity of cocaine base. During that meeting, the CI purchased approximately 56 grams of cocaine base from the defendant and paid the defendant approximately \$2,520. The defendant ANTHONY D. EVANS, also known as "Loud," arrived at the meeting in a blue 2008 Honda Fit, bearing New York plate EYL2801, registered to the defendant at 50 Colonial Springs Road, Apartment D6, Wheatley Heights, New York 11798 (the "defendant's car").

b. On August 7, 2009, the CI agreed to meet with the defendant ANTHONY D. EVANS, also known as "Loud," in order to purchase a quantity of cocaine base. During that meeting, the CI purchased approximately 56 grams of cocaine base from the defendant and paid the defendant approximately \$2,520. The defendant ANTHONY D. EVANS, also known as "Loud," arrived at the

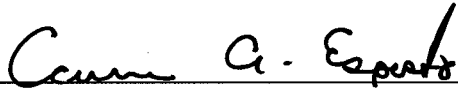
meeting in the defendant's car.

4. The substances that were purchased from the defendant ANTHONY D. EVANS, also known as "Loud," on each of the aforementioned dates were brought to the Nassau County Police Department laboratory where those substances tested positive for the presence of cocaine base.

5. The investigation into the illegal activities of the defendant ANTHONY D. EVANS, also known as "Loud," and other subjects is continuing. Disclosure of the contents of this application and any subsequently issued arrest warrants may (1) lead to destruction of evidence, (2) flight of the defendant ANTHONY D. EVANS, also known as "Loud," and other subjects of the investigation, (3) present a risk of danger to the CI or other witnesses, and (4) otherwise jeopardize the continued investigation of this matter.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant ANTHONY D. EVANS, also known as "Loud," so that he may be dealt with according to law.

In addition, it is respectfully requested that this Affidavit and the arrest warrant be filed under seal.



CARMINE ESPOSITO
Special Agent
Federal Bureau of Investigation

Sworn to before me this
9th day of April 2010



UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK